

10/528031

DT1 C'd PCT/PTO 16 MAR 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Christian GUELLY et al. : Mail Stop: PCT

Serial No. NEW : Attorney Docket No. 2005_0070A

Filed March 16, 2005

POLYPEPTIDES AND NUCLEIC ACIDS ENCODING
THESE AND THEIR USE FOR THE PREVENTION,
DIAGNOSIS OR TREATMENT OF LIVER DISORDERS
AND EPITHELIAL CANCER

[Corresponding to PCT/EP2003/010564

Filed September 23, 2003]

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents

P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Pursuant to the provisions of 37 CFR 1.56, 1.97 and 1.98, Applicants request consideration of the references listed on attached form PTO-1449 and any additional information identified below in paragraph 3. A legible copy of each reference listed on the Form PTO-1449 is enclosed, except a copy is not provided for:

- each U.S. Patent and U.S. Patent application publication;
- each reference previously cited in the international application
PCT/EP2003/010564; and/or
- each reference previously cited in prior parent application Serial No.

1a. This Information Disclosure Statement is submitted:

within three months of the filing date (or of entry into the National Stage) of the above-entitled application, or

before the mailing of a first Office Action on the merits or the mailing of a first Office Action after the filing of an RCE,

and thus no certification and/or fee is required.

1b. This Information Disclosure Statement is submitted
after the events of above paragraph 1a and prior to the mailing date of a final Office Action or a Notice of Allowance or an action which otherwise closes prosecution in the application, and thus:
(1) the certification of paragraph 2 below is provided, **or**
(2) the fee of \$180.00 specified in 37 CFR 1.17(p) is enclosed.

1c. This Information Disclosure Statement is submitted:
after the mailing date of a final Office Action or Notice of Allowance or action which otherwise closes prosecution in the application, and prior to payment of the issue fee, and thus:
the certification of paragraph 2 below is provided, and
the fee of \$180.00 specified in 37 CFR 1.17(p) is enclosed.

2. It is hereby certified

- a. that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the Statement, or
- b. that no item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of the person signing the certification after making reasonable inquiry, was known to any individual designated in §1.56(c) more than three months prior to the filing of the Statement.

3. Consideration of the following list of additional information (including any copending or abandoned U.S. application, prior uses and/or sales, etc.) is requested.
4. For each non-English language reference listed on the attached form PTO-1449, reference is made to:
 - a. a full or partial English language translation submitted herewith,
 - b. a foreign patent office search report (in the English language) submitted herewith,
 - c. the concise explanation contained in the specification of the present application at page,
 - d. the concise explanation set forth in the attached English language abstract,
 - e. the concise explanation set forth below or on a separate sheet attached to the reference:
5. A foreign patent office search report citing one or more of the references is enclosed.

Respectfully submitted,

Christian GUELLY et al.

By

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March 16, 2005

Sheet 1 of 1

INFORMATION DISCLOSURE STATEMENT

FORM PTO 1449 (modified)

U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICELIST OF REFERENCES CITED BY APPLICANT(S)
(Use several sheets if necessary)

Date Submitted to PTO: March 16, 2005

ATTY DOCKET NO.
2005_0070AREF ID NO.
NEW

10/528031

APPLICANT
Christian GUELLY et al.FILING DATE
March 16, 2005

GROUP

U.S. PATENT DOCUMENTS

*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	AA	6,410,724	6/2002	Dejean et al.			
	AB						
	AC						
	AD						
	AE						
	AF						
	AG						
	AH						
	AI						

FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION YES NO
	AJ	01/75067	10/2001	WO			
	AK	02/059611	8/2002	WO			
	AL						
	AM						
	AN						

OTHER DOCUMENT(S) (Including Author, Title, Date, Pertinent Pages, Etc.)

AO Xu X-R et al., "Insight into hepatocellular carcinogenesis at transcriptome level by comparing gene expression profiles of hepatocellular carcinoma with those of corresponding noncancerous liver", Proceedings of the National Academy of Sciences of USA, National Academy of Science, Vol. 98, No. 26, December 18, 2001.

AP

EXAMINER

DATE CONSIDERED